

**Amendment Number 2**  
**to**  
**Contract Number DIR-SDD-2218**  
**between**  
**State of Texas, acting by and through the Department of Information Resources**  
**and**  
**Entech Sales and Service, Inc.**

This Amendment Number 2 to Contract Number DIR-SDD-2218 ("Contract") is between the Department of Information Resources ("DIR") and Entech Sales and Service, Inc. ("Vendor"). DIR and Vendor agree to modify the terms and conditions of the Contract as follows:

**1. Contract, Section 2. Term of Contract,** is hereby amended as follows:

DIR and Vendor hereby agree to extend the term of the Contract for one (1) year through May 23, 2016 or until terminated pursuant to the termination clauses contained in the Contract. Prior to expiration of the term, DIR and Vendor may extend the Contract, upon mutual agreement, for up to one (1) additional one-year term.

**2. Contract, Section 6. Notification** is hereby restated in its entirety as follows:

**6. Notification**

All notices under this Contract shall be sent to a party at the respective address indicated below.

If sent to the State:

Dana L. Collins, CTPM, CTCM  
Manager, Contract and Vendor Management  
Department of Information Resources  
300 W. 15<sup>th</sup> St., Suite 1300  
Austin, Texas 78701  
Phone: (512) 936-2233  
Facsimile: (512) 475-4759  
Email: [dana.collins@dir.texas.gov](mailto:dana.collins@dir.texas.gov)

If sent to the Vendor:

James Scherer  
Entech Sales & Service, Inc.  
2136 Rutland Dr., Ste. E  
Austin, Texas 78758  
Phone: (512) 719-5191  
Facsimile: (512) 719-5192  
Email: [jscherer@entechsales.com](mailto:jscherer@entechsales.com)

3. **Contract, Section 7. Software License and Service Agreements**, is hereby amended by adding **B. Conflicting or Additional Terms**, in its entirety as follows:

**B. Conflicting or Additional Terms**

In the event that conflicting or additional terms in Vendor Software License Agreements, Shrink/Click Wrap License Agreements, Service Agreements or linked or supplemental documents amend or diminish the rights of DIR Customers or the State, such conflicting or additional terms shall not take precedence over the terms of this Contract.

4. **Appendix A, Standard Terms and Conditions For Product and Related Services Contracts**, is hereby restated in its entirety and replaced with the attached Appendix A, Standard Terms and Conditions For Product and Related Services Contracts dated 02/04/15.
5. **Appendix C, Pricing Index**, is hereby updated in its entirety.

All other terms and conditions of the Contract as amended, not specifically modified herein, shall remain in full force and effect. In the event of conflict among the provisions, the order of precedence shall be Amendment Number 2, then Amendment Number 1, and then the Contract DIR- SDD-2218.

**(Balance of this page intentionally left blank.)**

**IN WITNESS WHEREOF**, the parties hereby execute this Amendment Number 2 to be effective as of the date of last signature, but in all events not later than May 23, 2015.

**Entech Sales and Service, Inc.**

**Authorized By:** Signature on file

**Name:** Mark Braziel

**Title:** Voice President

**Date:** 5/6/2015

**The State of Texas, acting by and through the Department of Information Resources**

**Authorized By:** Signature on file

**Name:** Dale Richardson

**Title:** Chief Operations Officer

**Date:** 5/18/15

**Office of General Counsel:** Signature on file 5-14-15